

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION
HOUSTON, TEXAS,
FEBRUARY 21, 2014
11:30 A.M.

UNITED STATES OF AMERICA : 4:12-CR-00272-32

VERSUS

FREDRICK MICHAL VILLARREAL

ALSO KNOWN AS BIG MIKE

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UNITED STATES OF AMERICA . 4:12-CR-00272-36

VERSUS

JAMES FRANCIS SAMPSELL

.....

TRANSCRIPT OF REARRAIGNMENTS
BEFORE THE HONORABLE SIM LAKE
UNITED STATES DISTRICT JUDGE

APPEARANCES

FOR THE GOVERNMENT IN BOTH CASES:

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FOR THE DEFENDANT VILLARREAL:

Thomas Allan Martin
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FOR THE DEFENDANT SAMPSELL:

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LARRY EASTEPP PC
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OFFICIAL COURT REPORTER:

Mayra Malone, CSR, RMR, CRR
U.S. Courthouse
515 Rusk, Room 8004
Houston, Texas 77002

Proceedings recorded by mechanical stenography. Transcript produced by computer-aided transcription.

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1 P R O C E E D I N G S

2 THE COURT: Is there some concern about rearraigning
3 the defendants at the same time since the plea agreements are
4 virtually the same?

5 MR. EASTEPP: The concern for me, Judge, and
6 my client, and I do have some concern. I would rather tell you
7 at the bench than out loud.

8 THE COURT: Okay.

9 THE COURT REPORTER: Is this on the record, Judge?

10 THE COURT: You don't need to put this on.

11 (*Off the record discussion held at the bench*)

12 THE COURT: United States versus Fredrick Villarreal,
13 Criminal Action H-12-272.

14 Would you please state your name, please, sir?

15 DEFENDANT VILLARREAL: Fredrick Villarreal.

16 THE COURT: I understand that you wish to plead guilty
17 to Count One which charges you with conspiracy to participate
18 in racketeering activity, in violation of Title 18, United
19 States Code, Section 1962(d). Is that correct?

20 DEFENDANT VILLARREAL: Yes, sir.

21 THE COURT: Would you please raise your right hand and
22 be sworn?

23 (*Defendant Villarreal sworn*)

24 THE COURT: If you will move over a little bit.

25 (*Compliance*)

1 THE COURT: United States versus James Sampsell.

2 Stand over here.

3 *(Compliance)*

4 THE COURT: Would you state your name, please, sir?

5 DEFENDANT SAMPSELL: James Sampsell.

6 THE COURT: And I understand that you also wish to
7 plead guilty to Count One of the second superseding indictment
8 which charges you with conspiracy to participate in
9 racketeering activity, in violation of Title 18, United States
10 Code, Section 1962(d). Is that correct?

11 DEFENDANT SAMPSELL: Yes, sir. That's correct.

12 THE COURT: Would you please raise your right hand to
13 be sworn?

14 *(Defendant Sampsell sworn)*

15 THE COURT: Would counsel for the government and the
16 defendants please identify themselves?

17 MR. GALLAGHER: Ed Gallagher on behalf of the United
18 States.

19 MR. EASTEPP: Larry Eastepp on behalf of Mr. Sampsell,
20 Your Honor.

21 MR. MARTIN: Good morning, Judge. I'm Tom Martin on
22 behalf of Mr. Villarreal.

23 THE COURT: If both of you gentlemen will listen
24 carefully. Before I can accept your guilty pleas, I must ask
25 you a number of questions. It is very important that you

1 listen carefully to all of my questions and that you answer all
2 of my questions truthfully and completely for several reasons.
3 First, since you are now under oath, if you gave an untrue
4 answer to a question, you could be charged with a separate
5 crime of perjury.

6 Do each of you understand that?

7 DEFENDANT VILLARREAL: Yes, sir.

8 DEFENDANT SAMPSELL: Yes, sir.

9 THE COURT: Also, before I can accept your guilty
10 plea, I must make a number of findings. My findings are based
11 on your answers to my questions. In order for my findings to
12 be correct, it is therefore necessary that all of your answers
13 to my questions be truthful and complete.

14 Do each of you understand that?

15 DEFENDANT SAMPSELL: I do.

16 DEFENDANT VILLARREAL: Yes, sir.

17 THE COURT: Will each of you agree this morning that
18 if you do understand anything that I say, you will stop and ask
19 me to repeat or explain whatever you do not understand?

20 Mr. Sampsell, will you agree to that?

21 DEFENDANT SAMPSELL: Yes, sir, I will.

22 THE COURT: And, Mr. Villarreal, will you agree to
23 that?

24 DEFENDANT VILLARREAL: Yes, sir.

25 THE COURT: Also, each of you may stop at any time and

1 speak with your attorney. You do not need anyone's permission
2 to speak with your attorney.

3 Mr. Villarreal, how old are you?

4 DEFENDANT VILLARREAL: 35.

5 THE COURT: Did you graduate from high school?

6 DEFENDANT VILLARREAL: I dropped out in eleventh
7 grade, but I have a GED.

8 THE COURT: Where were you born?

9 DEFENDANT VILLARREAL: Pasadena, Texas.

10 THE COURT: After you left school, did you receive any
11 other type of formal training or education?

12 DEFENDANT VILLARREAL: I took classes in welding, but
13 I never actually graduated. I took a class for bartending.

14 THE COURT: What is the last job you held?

15 DEFENDANT VILLARREAL: I worked for Iron Boss doing
16 iron work.

17 THE COURT: What did you do there?

18 DEFENDANT VILLARREAL: I helped build iron structures,
19 laid I-beams.

20 THE COURT: Have you ever been diagnosed or treated
21 for any type of mental problem?

22 DEFENDANT VILLARREAL: I have taken antidepressants
23 and psych medications, but I couldn't tell you exactly what the
24 mental problems are. I think I'm bipolar and manic depressive.

25 THE COURT: Are you currently under the care of a

1 physician for those problems?

2 DEFENDANT VILLARREAL: I was before this case, but
3 since I got to the federal facility in this case, I stopped
4 taking all of that stuff or I stopped participating in any kind
5 of -- seeing the doctor or taking pills.

6 THE COURT: Are you taking any type of medicine for
7 your problems?

8 DEFENDANT VILLARREAL: No.

9 THE COURT: Have you ever been diagnosed for addiction
10 to drugs or alcohol?

11 DEFENDANT VILLARREAL: Yes, sir.

12 THE COURT: Which?

13 DEFENDANT VILLARREAL: Drugs.

14 THE COURT: When did you last use any type of illegal
15 drug?

16 DEFENDANT VILLARREAL: The last day that I was free,
17 April 1st, 2011.

18 THE COURT: Have you taken any type of drug or
19 medicine within the last 24 hours?

20 DEFENDANT VILLARREAL: I took some antihistamine
21 medicine for a cold I have.

22 THE COURT: Mr. Martin, have you noticed any inability
23 on your client's part to understand what is happening or to
24 communicate with you?

25 MR. MARTIN: I have had no difficulty in communicating

1 with my client, Judge. I also believe that he has been able to
2 understand what we have been chatting about.

3 THE COURT: Mr. Villarreal, how many times have you
4 spoken with your attorney about this case?

5 DEFENDANT VILLARREAL: I would say three or four
6 times.

7 THE COURT: Has he discussed with you the charges
8 against you and what the government would have to prove to
9 establish your guilt?

10 DEFENDANT VILLARREAL: Yes.

11 THE COURT: Has he reviewed with you the evidence that
12 the government has against you?

13 DEFENDANT VILLARREAL: Yes.

14 THE COURT: Has he discussed with you how the federal
15 advisory sentencing guidelines might apply in your case?

16 DEFENDANT VILLARREAL: Yes.

17 THE COURT: Has your attorney answered all of your
18 questions?

19 DEFENDANT VILLARREAL: Yes.

20 THE COURT: Has he done everything that you have asked
21 him to do?

22 DEFENDANT VILLARREAL: Yes.

23 THE COURT: Are you fully satisfied with the advice
24 and counsel that your attorney has provided you?

25 DEFENDANT VILLARREAL: Yes.

1 THE COURT: Mr. Sampsell, how old are you?

2 DEFENDANT SAMPSELL: 51.

3 THE COURT: Where were you born?

4 DEFENDANT SAMPSELL: In Dallas, Texas.

5 THE COURT: Did you graduate from high school?

6 DEFENDANT SAMPSELL: Yes, I did.

7 THE COURT: After you completed high school, did you
8 receive any other type of formal education or training?

9 DEFENDANT SAMPSELL: Yes, sir. I went to Midwestern
10 State University and then also I participated in the program
11 that TDCJ offers for college education.

12 THE COURT: Did you receive a college degree?

13 DEFENDANT SAMPSELL: No, sir.

14 THE COURT: What is the last job you held?

15 DEFENDANT SAMPSELL: I worked at Arc Electric in
16 Midland, Texas building power lines for the oilfield.

17 THE COURT: Have you ever been diagnosed or treated
18 for any type of mental problem?

19 DEFENDANT SAMPSELL: No, sir.

20 THE COURT: Have you ever been diagnosed or treated
21 for addiction to drugs or alcohol?

22 DEFENDANT SAMPSELL: No, sir.

23 THE COURT: Has anyone ever told you that you should
24 be treated for any type of mental problem or for any type of
25 addiction?

1 DEFENDANT SAMPSELL: No, sir.

2 THE COURT: Have you taken any type of drug or
3 medicine within the last 24 hours?

4 DEFENDANT SAMPSELL: I have got two prescriptions, one
5 for high blood pressure and one for acid reflux. GERD I guess
6 they call it.

7 THE COURT: Does either of those medicines prevent you
8 from understanding what is happening?

9 DEFENDANT SAMPSELL: No, sir.

10 THE COURT: Does it interfere with your ability to
11 talk with your lawyer?

12 DEFENDANT SAMPSELL: No, sir.

13 THE COURT: How many times have you spoken with your
14 attorney, Mr. Eastepp, about this case?

15 DEFENDANT SAMPSELL: Numerous. At least 10 probably.

16 THE COURT: Has he discussed with you the charges
17 against you and what the government would have to prove to
18 establish your guilt?

19 DEFENDANT SAMPSELL: Yes, he has.

20 THE COURT: Has he reviewed with you the evidence that
21 the government has against you?

22 DEFENDANT SAMPSELL: He has.

23 THE COURT: Has your attorney discussed with you how
24 the federal advisory sentencing guidelines might apply in your
25 case?

1 DEFENDANT SAMPSELL: Yes, sir.

2 THE COURT: Has he answered all of your questions?

3 DEFENDANT SAMPSELL: He has.

4 THE COURT: Has he done everything that you have asked
5 him to do?

6 DEFENDANT SAMPSELL: Yes, he has.

7 THE COURT: Are you fully satisfied with the advice
8 and counsel that your attorney has provided you?

9 DEFENDANT SAMPSELL: I am.

10 THE COURT: If both of you gentlemen will please
11 listen. You do not have to plead guilty. You have a right to
12 go to trial. If you went to trial, you would have the right to
13 the assistance of an attorney. If you could not afford an
14 attorney, the Court could appoint an attorney for you. You
15 would have the right to see and hear the government's witnesses
16 at trial and have your attorney question them. You would have
17 the right to compel other people to come into court and provide
18 evidence for you. You would not be required to testify at a
19 trial, and you could not be convicted at trial unless the jury
20 unanimously found beyond a reasonable doubt that you were
21 guilty. If you plead guilty today, however, there will not be
22 a trial and you will give up the right to a trial and all of
23 the protections associated with a trial.

24 Do you understand that?

25 DEFENDANT VILLARREAL: Yes.

1 DEFENDANT SAMPSELL: Yes, sir.

2 THE COURT: All right. The offenses you are pleading
3 guilty to are felony offenses. That means you will lose the
4 right to vote, to hold public office, to serve on a jury and to
5 possess a firearm.

6 The maximum sentence that you face, if you plead
7 guilty, is life in prison and a fine of \$250,000 and forfeiture
8 of all property acquired in violation of the conspiracy and
9 restitution to any victim and five years of supervised release
10 and a \$100 special assessment.

11 Mr. Sampsell, do you understand those are the
12 possible consequences of a guilty plea?

13 DEFENDANT SAMPSELL: Yes, sir, I do.

14 THE COURT: Mr. Villarreal, do you understand that
15 those are the possible consequences of a guilty plea?

16 DEFENDANT VILLARREAL: Yes, sir.

17 THE COURT: There is no parole in federal court. That
18 means you will actually have to serve your term in prison.
19 Your term of supervised release will be subject to a number of
20 conditions which will be monitored by a probation officer. If
21 I found that you violated those conditions, I could revoke your
22 supervised release and send you back to prison without any
23 credit for the time that you had already served on supervised
24 release. No determination has been made about what your
25 sentence will be. If I accept your guilty plea, a probation

1 officer will interview you, investigate the facts of the case
2 and prepare a presentence report.

3 You will have an opportunity to read the report
4 and to discuss the report with your attorney before your
5 sentencing. You or the government may file objections to the
6 presentence report. At the time of your sentencing, I will
7 rule on any objections to the presentence report and then I
8 will determine your advisory guideline range and your sentence.

9 What you need to understand today is that this
10 process of determining your sentence has not yet begun. That
11 means no one knows what advisory guideline range the probation
12 officer will recommend or what advisory guideline range I will
13 find applicable or what sentence I will impose.

14 Mr. Villarreal, do you understand that?

15 DEFENDANT VILLARREAL: Yes, sir.

16 THE COURT: Mr. Sampsell, do you understand that?

17 DEFENDANT SAMPSELL: Yes, sir.

18 THE COURT: If the sentence that I impose is greater
19 than the sentence that you now expect or greater than the
20 sentence that your attorney or anyone else may have predicted,
21 you will be bound by your guilty plea today, regardless of your
22 sentence. You will not be allowed to change your mind and
23 withdraw your guilty plea because you are not satisfied with
24 your sentence.

25 Mr. Sampsell, do you understand that?

1 DEFENDANT SAMPSELL: I do.

2 THE COURT: And, Mr. Villarreal, do you understand
3 that?

4 DEFENDANT VILLARREAL: Yes, sir.

5 THE COURT: The government has furnished me with
6 copies of written plea agreements for each of you.

7 Mr. Villarreal, have you read your plea
8 agreement?

9 DEFENDANT VILLARREAL: Yes, sir.

10 THE COURT: When did you read it?

11 DEFENDANT VILLARREAL: October.

12 THE COURT: Now it's February. Have you read it since
13 October?

14 DEFENDANT VILLARREAL: Yes.

15 THE COURT: When did you -- have you discussed it with
16 your attorney since October?

17 DEFENDANT VILLARREAL: Yes.

18 THE COURT: When did you discuss it with your
19 attorney?

20 DEFENDANT VILLARREAL: I think we met in December,
21 January.

22 THE COURT: How much time altogether would you say you
23 have spent discussing it with your attorney?

24 DEFENDANT VILLARREAL: We spent over an hour.

25 THE COURT: Did he answer any questions you had about

1 it?

2 DEFENDANT VILLARREAL: Yes, sir.

3 THE COURT: Mr. Sampsell, have you read your plea
4 agreement?

5 DEFENDANT SAMPSELL: Yes, sir, I have.

6 THE COURT: When did you read it?

7 DEFENDANT SAMPSELL: I think the latest was last week.
8 Was it last week? It hasn't been longer than two weeks.

9 MR. EASTEPP: And various iterations is what he is
10 talking about that we have gone over.

11 THE COURT: Have you discussed it with your attorney?

12 DEFENDANT SAMPSELL: Yes, sir, I have.

13 THE COURT: How much time altogether would you say you
14 spent discussing it with your attorney?

15 DEFENDANT SAMPSELL: Numerous hours.

16 THE COURT: Did he answer any questions you may have
17 had about it?

18 DEFENDANT SAMPSELL: He answered all my questions.

19 THE COURT: Do both of you have copies there before
20 you?

21 DEFENDANT SAMPSELL: Yes, sir.

22 THE COURT: You may want to refer to them. I'm going
23 to cover the essential elements again just to be sure you
24 understand them.

25 In paragraph 1 of each of your agreements, you

1 agree to plead guilty to Count One of the second superseding
2 indictment, which I described earlier.

3 On page 3, paragraph 7, your agreements each
4 state: Defendant is aware that Title 18, United States Code,
5 Section 3742 affords a defendant the right to appeal the
6 sentence imposed. The defendant agrees to waive the right to
7 appeal the sentence imposed or the manner in which it was
8 determined on any grounds set forth in Title 18, United States
9 Code, Section 3742.

10 Mr. Villarreal, have you discussed that provision
11 of your plea agreement with your attorney?

12 DEFENDANT VILLARREAL: Yes, sir.

13 THE COURT: And as part of your plea agreement, do you
14 wish to waive the right to appeal your sentence imposed or the
15 manner in which it was determined?

16 DEFENDANT VILLARREAL: Yes.

17 THE COURT: Mr. Sampsell, have you discussed that
18 provision of your plea agreement with your attorney?

19 DEFENDANT SAMPSELL: Yes, sir.

20 THE COURT: And as part of your plea agreement, do you
21 also wish to waive the right to appeal the sentence imposed or
22 the manner in which the sentence was determined?

23 DEFENDANT SAMPSELL: Yes, sir.

24 THE COURT: Paragraph 7 of each of your agreements
25 then says: Additionally, the defendant is aware that Title 28,

1 United States Code, Section 2255 affords the right to contest
2 or collaterally attack a conviction or sentence after the
3 conviction or sentence has become final.

4 The defendant waives the right to contest his
5 conviction or sentence by means of any post-conviction
6 proceeding.

7 Mr. Villarreal, have you also discussed that
8 provision of your plea agreement with your attorney?

9 DEFENDANT VILLARREAL: Yes, sir.

10 THE COURT: And as part of your plea agreement, do you
11 also wish to waive the right to contest your conviction or
12 sentence by means of any post-conviction proceeding?

13 DEFENDANT VILLARREAL: Yes, sir.

14 THE COURT: Mr. Sampsell, have you also discussed that
15 provision of your plea agreement with your attorney?

16 DEFENDANT SAMPSELL: I have.

17 THE COURT: And as part of your plea agreement, do you
18 also wish to waive the right to contest your conviction or
19 sentence by means of any post-conviction proceeding?

20 DEFENDANT SAMPSELL: Yes, sir, I do.

21 THE COURT: In paragraph 9 of Mr. Villarreal's plea
22 agreement and paragraph 10 of Mr. Sampsell's agreement, the
23 government agrees that each defendant is entitled to a
24 two-level downward adjustment for pleading guilty and that if
25 the offense level is 16 or more, the government will move for

1 an additional one-level downward adjustment.

2 In Mr. Villarreal's agreement, the government
3 agrees not to request an upward departure. In Mr. Sampsell's
4 agreement, the government agrees that it will dismiss all
5 remaining counts at the time of sentencing, and it will not
6 request an upward departure or an aggravating role adjustment.

7 As to the last promises, I will listen to the
8 government's recommendation, but I'm not bound by the
9 government's recommendation, and should I decide to depart
10 upward or should I decide that you're entitled to an aggravated
11 role adjustment, each of you will still be bound by your plea
12 agreements.

13 Mr. Sampsell, do you understand that?

14 DEFENDANT SAMPSELL: Yes, sir.

15 THE COURT: Mr. Villarreal, do you understand that?

16 DEFENDANT VILLARREAL: Yes, sir.

17 THE COURT: Mr. Villarreal, other than the factual
18 basis for your guilty plea, which I will discuss in a moment,
19 have I correctly described your plea agreement with the
20 government as you understand it?

21 DEFENDANT VILLARREAL: Yes.

22 THE COURT: Other than what is stated in this written
23 plea agreement, has the United States government made any
24 promises to you in connection with your guilty plea?

25 DEFENDANT VILLARREAL: No, sir.

1 THE COURT: Pardon me?

2 DEFENDANT VILLARREAL: No, sir.

3 THE COURT: Has anyone threatened you or forced you to
4 plead guilty?

5 DEFENDANT VILLARREAL: No, sir.

6 THE COURT: Has anyone promised you what sentence you
7 will receive if you plead guilty?

8 DEFENDANT VILLARREAL: No, sir.

9 THE COURT: Mr. Sampsell, other than the factual basis
10 for your guilty plea, which I will discuss in a moment, have I
11 correctly described your plea agreement with the government as
12 you understand it?

13 DEFENDANT SAMPSELL: Yes, sir, you have.

14 THE COURT: Other than what is stated in this written
15 plea agreement, has the United States government made any
16 promises to you in connection with your guilty plea?

17 DEFENDANT SAMPSELL: No, sir.

18 THE COURT: Has anyone threatened you or forced you to
19 plead guilty?

20 DEFENDANT SAMPSELL: No, sir.

21 THE COURT: Has anyone promised you what sentence you
22 will receive if you plead guilty?

23 DEFENDANT SAMPSELL: No, they haven't.

24 THE COURT: In order for the government to prove your
25 guilt at trial, the government would have to show that the

1 Aryan Brotherhood of Texas was an enterprise. Second, that the
2 enterprise was engaged in or that its activities affected
3 interstate or foreign commerce. Third, that each of you was
4 employed by or associated with the enterprise and last, that
5 each of you knowingly agreed with at least one other person to
6 conduct or participate in the conduct of the enterprise's
7 affairs through a pattern of racketeering activity.

8 Mr. Villarreal, in your plea agreement at
9 pages 7, 8, 9, 10, 11 and 12, there is a description of the
10 Aryan Brotherhood of Texas and its activities which constitute
11 a racketeering enterprise.

12 Have you carefully read those pages of the plea
13 agreement?

14 DEFENDANT VILLARREAL: Yes, sir.

15 THE COURT: Are the facts stated as to the Aryan
16 Brotherhood of Texas true?

17 DEFENDANT VILLARREAL: Yes, sir.

18 THE COURT: On pages 13, 14 and 15, the agreement sets
19 out and stipulates facts that establish your guilt. Under the
20 heading on page 13, "Facts of the Offense," your plea agreement
21 says: The defendant agrees and stipulates that he knowingly
22 conspired and agreed to conduct and participate directly and
23 indirectly in the conduct of the affairs of the Aryan
24 Brotherhood of Texas. And then beginning at the next
25 paragraph: The defendant admits to the following, and there is

1 a list of various crimes that you committed.

2 Have you carefully read pages 13, 14 and 15 of
3 the plea agreement?

4 DEFENDANT VILLARREAL: Yes, sir.

5 THE COURT: Are all of the facts stated there true?

6 DEFENDANT VILLARREAL: Yes.

7 THE COURT: Did you do everything described on those
8 pages of your plea agreement?

9 DEFENDANT VILLARREAL: Yes, I did.

10 THE COURT: And, Mr. Sampsell, in your plea agreement,
11 beginning on page 6 and going through the top of page 11, there
12 is a description of the Aryan Brotherhood of Texas and its
13 activities which constitute a racketeering enterprise.

14 Have you carefully read those pages of the plea
15 agreement?

16 DEFENDANT SAMPSELL: I have.

17 THE COURT: Is the description of the Aryan
18 Brotherhood of Texas true and correct?

19 DEFENDANT SAMPSELL: Yes, sir.

20 THE COURT: In your plea agreement, on pages 11, 12
21 and the top of 13, there is a factual basis for your guilty
22 plea. On page 11, under the heading "Facts of the Offense,"
23 your plea agreement says: The defendant agrees and stipulates
24 that he knowingly conspired and agreed to conduct and
25 participate directly and indirectly in the conduct of the

1 affairs of the Aryan Brotherhood of Texas enterprise. And then
2 beginning in the next paragraph: The defendant admits the
3 following, and then there is a list of your activities and
4 various crimes you committed.

5 Have you carefully read pages 11, 12 and 13 of
6 your plea agreement?

7 DEFENDANT SAMPSELL: Yes, sir.

8 THE COURT: Are the offenses stated there true?

9 DEFENDANT SAMPSELL: Yes, sir, they are.

10 THE COURT: Did you do everything described in those
11 pages of the plea agreement?

12 DEFENDANT SAMPSELL: I did.

13 THE COURT: Mr. Villarreal, how do you plead to Count
14 One of the second superseding indictment? Guilty or not
15 guilty?

16 DEFENDANT VILLARREAL: Guilty.

17 THE COURT: Do you think any other advice of rights is
18 required before I can accept your client's plea?

19 MR. MARTIN: I do not, Judge.

20 THE COURT: Mr. Sampsell, how do you plead to Count
21 One of the second superseding indictment? Guilty or not
22 guilty?

23 DEFENDANT SAMPSELL: Guilty.

24 THE COURT: Mr. Eastepp, do you think any other advice
25 of rights is required before I can accept your client's plea?

1 MR. EASTEPP: I do not believe so, Your Honor.

2 THE COURT: It is the finding of the Court that both
3 Mr. Villarreal and Mr. Sampsell are fully competent and capable
4 of entering an informed plea, that each defendant's plea of
5 guilty is a knowing and voluntary plea supported by an
6 independent basis-in-fact establishing each of the essential
7 elements of the offense and that each defendant has knowingly
8 and voluntarily waived his right to appeal his conviction or
9 sentence or to collaterally attack his conviction or sentence.

10 I therefore accept each defendant's plea and now
11 adjudge each defendant guilty of Count One of the second
12 superseding indictment.

13 You may now sign the plea agreements if you have
14 not already done so.

15 (*Compliance*)

16 MR. GALLAGHER: Your Honor, both plea agreements have
17 been executed and handed to the clerk.

18 THE COURT: Each defendant will be sentenced on
19 October 7 at 2:00 p.m.

20 Does either counsel wish to say anything else?

21 MR. GALLAGHER: Not from the United States, Your
22 Honor.

23 MR. MARTIN: Not for Mr. Villarreal, Judge.

24 THE COURT: Mr. Eastepp, do you have anything else?

25 MR. EASTEPP: No, Judge.

1 THE COURT: The defendants are remanded to the custody
2 of the marshal.

3 I would like counsel to stick around a minute.

4 *(Proceedings concluded at 11:57 a.m.)*

5 * * * *

6 *I certify that the foregoing is a correct transcript from
the record of proceedings in the above-entitled cause.*

7 Date: August 5, 2015

8 /s/ Mayra Malone

9 -----

10 Mayra Malone, CSR, RMR, CRR
Official Court Reporter

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